

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

DEBORAH SMITH)	
Claimant)	
)	
VS.)	
)	
ATRIUMS HAIR SALON)	
Respondent)	Docket Nos. 1,033,559 &
)	1,033,560
)	
AND)	
)	
HARTFORD UNDERWRITERS INS. CO.¹)	
TWIN CITY FIRE INS. CO.²)	
)	
Insurance Carrier)	

ORDER

Respondent requested review of the October 20, 2010³ Award by Administrative Law Judge (ALJ) Kenneth J. Hursh. On January 19, 2011 a telephone status conference was held at the Board's request. The parties conceded that the depositions of Michelle Sprecker and Dr. James Zarr were not listed in the Award as part of the record, nor considered by the ALJ. Therefore, the parties agreed that this matter should be remanded to the ALJ for consideration and complete review of the entire record.

The Board does not retain jurisdiction of this matter. If the parties wish to appeal any further actions or decision by the ALJ, an appropriate appeal must be timely filed.

¹ 1,033,559

² 1,033,560

³ A Supplemental Order was filed Nov. 1, 2010 to correct and clarify a stipulation listed in the Award.

AWARD

WHEREFORE, it is the finding, decision and order of the Board that the Award of Administrative Law Judge Kenneth J. Hursh dated October 20, 2010, should be, and is hereby, set aside and the matter is remanded to the ALJ for a determination of the issues based upon the entire record.

IT IS SO ORDERED.

Dated this _____ day of February 2011.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: John R. Stanley, Attorney for Claimant
Tracy Vetter, Attorney for Respondent and its Insurance Carrier
Kenneth J. Hursh, Administrative Law Judge